

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of Delaware

MM INDUSTRIAL MEMPHIS, LLC,

Plaintiff,

SUMMONS IN A CIVIL CASE

V.

MYRIAD ENTERTAINMENT AND RESORTS, INC.,

Defendant.

CASE NUMBER: 08-88

TO: (Name and address of Defendant)

Myriad Entertainment and Resorts, Inc.,
c/o Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Thomas G. Macauley, Esquire
Zuckerman Spaeder LLP
919 Market Street, Suite 990
Wilmington, DE 19801
(302) 427-0400 Telephone

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

FEB 12 2008

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE February 13, 2008 at 2:30 p.m.	
NAME OF SERVER (PRINT) Daniel Newcomb	TITLE Process Server	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>Service on Myriad Entertainment and Resorts, Inc., was effectuated by serving Mary Diamond, Managing Agent duly authorized to accept service. Service was made at Corporation Service Company, 2711 Centerville Rd. # 400, Wilmington, DE 19808.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>2/14/08</u> Date</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>_____</p> <p><i>Signature of Server</i></p> </div> <div style="width: 65%;"> <p>DELAWARE ATTORNEY SERVICES</p> <p>2000 Pennsylvania Avenue, Suite 207</p> <p>Wilmington, DE 19806 (302) 429-0657</p> <p>_____</p> <p><i>Address of Server</i></p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.